owner of a single asset does not have other properties from which he can recapitalize his business.

Finally, Mr. Speaker, my bill helps all American families by making their investments more secure and more valuable. The hard-working American families who depend on their life insurance policies and who have paid for years into their pensions will save millions in reduced costs. My bill protects the little guy from being plagued with years of litigation while a few unscrupulous commercial property owners continue to collect the rent to line their own pockets.

MINING LAW OF 1872 REFORM

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1996

Mr. RAHALL. Mr. Speaker, today, I am reintroducing legislation to reform the mining law of 1872. I am pleased to note that the distinguished gentleman from California, GEORGE MILLER, is joining me in introducing this measure.

Mr. Speaker, we are sponsoring this legislation with the full knowledge that it will probably not see the light of day in the Resources Committee as long as that committee is chaired by our dear friend and colleague, the honorable DON YOUNG of Alaska. Indeed, this bill is the very same which passed the House of Representatives by a three-to-one margin during the 103d Congress. Reintroduced into the 104th Congress, our colleague DON YOUNG put it under lock and key.

This begs the question: Why reintroduce the bill?

The answer lies in the fact that there remains within the broad membership of the House of Representatives enough votes to pass meaningful reform of the Mining Law of 1872. Last Congress, for example, we reimposed the moratorium on the issuance of mining claim patents by a vote of 271 to 153 during House consideration of the fiscal year 1996 Interior appropriation bill. In addition, the bill we are reintroducing today, which was designated H.R. 357 in the 104th Congress, attracted 92 bipartisan cosponsors during that period.

The issue of insuring a fair return to the public in exchange for the disposition of public resources, and the issue of properly managing our public domain lands, is neither Republican or Democrat. It is simply one that makes sense if we are to be good stewards of the public domain and meet our responsibilities to the American people. This means that the mining law of 1872 must be reformed.

I and other Members will continue to work toward that goal during the 105th Congress. If reform can be accomplished within the context of the bill I am introducing today, so much the better. If this bill's fate is to serve as a rally cry for reform, with substantive reform efforts moving forward independently, than that is satisfactory as well. In any event, the eyes of the Nation will continue to focus, to an even greater extent than ever before, on how this Congress addresses natural resource issues such as this one. Congress ignores these matters at its own peril.

Following is a brief explanation of the Mining Law of 1872 and how the legislation I am introducing proposes to reform it:

MINING LAW OF 1872 REFORM

The year was 1872. U.S. Grant resided in the White House. Union troops still occupied the South. The invention of the telephone and Custer's stand at the Little Bighorn were still four years away. And in 1872 Congress passed a law that allowed people to go onto public lands in the West, stake mining claims, and if any gold or silver were found, mine it for free.

In an effort to promote the settlement of the West, Congress said that these folks could also buy the land from the Federal government for $2.50 an acre.

That was 1872. This is 1977. Yet, today, the Mining Law of 1872 is still in force.

And, for the most part, it is not the lone prospector of old, pick in hand, accompanied by his trusty pack mule, who is staking those mining claims. It is large corporations, many of the foreign controlled, who are mining gold owned by the people of the United States for free, and snapping up valuable Federal land at fast food hamburger prices.

Remaining as the last vestige of frontier-era legislation, the Mining Law of 1872 played a role in the development of the West. But is also left a staggering legacy of poisoned streams, abandoned waste dumps and maimed landscapes.

Obviously, at the public's expense, the western mining interests have had a good thing going all of these years. But the question has to be asked: Is it right to continue to allow this speculation with Federal lands, not to require that the lands be reclaimed, and to permit the public's mineral wealth to be mined for free?

Today, anybody can still go onto Federal lands in States like Nevada and Montana and stake any number of mining claims, each averaging about 20 acres. In order to maintain the mining claim, until recently all that was required was that the claim holder spend $100 dollars per year to the benefit of the claim.

In the event hardrock minerals such as gold or silver are found on the claim, they are mined for free. There are no requirements that a production royalty be paid to the Federal government, or for that matter, a rental be paid for the use of the land.

It is estimated that $1.8 billion worth of hardrock minerals are annually mined from Federal lands in the western States. Yet, the Federal government does not collect one penny in royalty from any of this mineral production that is conducted on public lands owned by all Americans.

Under the Mining Law of 1872, claim holders can also choose to purchase the Federal land being claimed. They can do this by first showing that the lands have valuable minerals, and then by paying the Federal government a mere $2.50 or $5.00 an acre depending on the type of claim. This is called obtaining a mining claim patent. Perhaps a good feature in 1872, when the Nation was trying to settle the West. But today there is hardly a need to promote the additional settlement of LA, San Francisco or Denver. Note: The Interior Department is currently subject to a Congressionally imposed moratorium on the issuance of mining claim patents which must be renewed on an annual basis.

Moreover, once the mining claim is patented, nothing in this so-called mining law says that it has to be actually mined. The land is now in private ownership. People are free to build condos or ski-slopes on the land.

For example, not too long ago the Arizona Republic carried a story about a gentleman who paid the Federal government $155 for 61 acres worth of mining claims. Today, these mining claims are the site of a Hilton Hotel. This gentleman now estimates that his share of the resort is worth about $6 million.

Claim holders can also mine these Federal lands with minimal reclamation requirements. The only Federal requirement is that when operating on these lands they do not cause 'unnecessary or undue degradation.' What does this term mean? It means that they can do whatever they want as long as it's pretty much what all of the other miners are doing.

The issue of Mining Law reform does not deal with coal, or that matter, oil and gas. These energy minerals, if located on Federal lands, are leased by the government, and a royalty is charged. Further, Mining Law reform does not deal with private lands. The scope of the Mining Law of 1872 and legislation to reform it is limited to hardrock minerals such as gold, silver, lead and zinc on Federal lands in the Western States.

The Rahall bill to reform the Mining Law of 1872 would prohibit the continued giveaway of public lands. It would require that mining claims are diligently developed. It would require that a holding fee be paid for the use of the land, and that a royalty be paid on the production of valuable minerals extracted from these Federal lands. And, it would require industry to comply with some basic reclamation standards .

INTRODUCTION OF PROTECTION FROM SEXUAL PREDATORS ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Ms. SLAUGHTER. Mr. Speaker, today I reintroduce the Protection from Sexual Predators Act. Like many of you, I am tired of picking up the morning paper and reading about the latest serial rapist to be caught, only to see printed a laundry list of his previous convictions for sexual assault. Our constituents deserve to be protected from the country's worst repeat sexual predators.

The Protection from Sexual Predators Act passed the House last year by a vote of 411 to 4, and allows Federal prosecution of rapes and serious sexual assaults committed by repeat offenders. The measure requires that repeat offenders convicted under this section be automatically sentenced to life in prison without parole. In other words, two strikes, and you're in—for life.

It's time we got tougher on the most violent, repeat sexual offenders. These habitual sex offenders are a different kind of criminal—their recidivism rates are incredibly high, and they are known to strike again and again. Often these serial criminals will venture from one State to another, and if they are caught, they seldom receive the harshest penalties under the current law.

When my bill is passed into law, violent sexual predators such as John Suggs of New York City will not be free to rape again, and the Supreme Court will not need to deliberate whether to release lifelong child molesters back into society as in the case *Kansas* v. *Kendricks,* currently pending before the Supreme Court. This measure will make our streets and neighborhoods safer, for children, the elderly, and the women of this country.

My bill will require courts to hand down tougher sentences, ridding our communities and neighborhoods of the most brutal offenders who prey upon the most vulnerable in our society.